

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

WAYNE BALIGA,

Plaintiff,

v.

LINK MOTION INC. (f/k/a/ NQ MOBILE  
INC.), VINCENT WENYONG SHI,  
ROLAND WU, and ZEMIN XU,

Defendants.

No. 1:18-cv-11642-VM-VF

The Honorable Victor Marrero  
Magistrate Judge Valerie Figueredo

**DECLARATION OF WAYNE BALIGA**

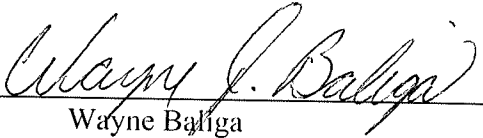
I, Wayne Baliga, state as follows:

1. I am a purchaser and owner of securities in Link Motion Inc. (“LKM” or the “Company”). Between January 21, 2014 and August 17, 2018, I purchased 200,000 LKM ADR.
2. On December 13, 2018, I filed the Verified Shareholder Derivative Complaint through my counsel, The Seiden Group. (ECF 1.)
3. As I disclosed in the Verified Shareholder Derivative Complaint, I am a member of an LKM investor group called “LKMForward.” (ECF 1 at ¶ 35.)
4. Prior to filing this litigation, LKMForward sent correspondence to LKM, care of Vincent Shi, demanding that the Board call an Extraordinary General Meeting to allow for shareholder votes: (1) regarding the dismissal of Vincent Shi, Lian Jia, and Xiao Yu; (2) the appointment of Tang Duo as Director and acting CEO, Matt Mathison as Director and acting CFO, James Hearty as Independent Director and Audit Committee chair, and Francis Guo as Independent Director and shareholder representative; and (3) that the new Board should act quickly to resolve the issues caused by Shi’s fraud on LKM and its shareholders. A true and correct copy of that letter is attached hereto as Exhibit A.

5. The LKMForward investor group is comprised of more than twenty investors.
6. My objectives, and the objectives of LKMForward, have been clear since before this litigation was filed. We sought to: expose the fraud of Defendant Vincent Shi, recover damages (both those damages personal to me and for holders of LKM securities), and appoint directors and officers who would act in the best interests of LKM. (Exhibit A.)
7. In pursuit of those goals, LKM investors have shared the costs of this litigation from the beginning.
8. When Greenberg Traurig LLP was brought on as substitute counsel following the filing of the Second Amended Complaint, LKM investors, including Francis “Lilin” Guo, continued to pay a portion of the costs of the ongoing litigation to Greenberg Traurig, LLP with my informed consent.
9. I have independently directed this litigation at all times.
10. To date, Mr. Guo has paid for a portion of the costs of this litigation. Those payments have not influenced my judgment in directing this litigation.
11. At no point have I requested that any costs or expenses related to Greenberg Traurig’s representation be reimbursed by the Receiver.
12. At no point has any LKM investor who shared in the costs of this litigation expressed to me that they would be seeking reimbursement from the Receiver of any costs or expenses related to Greenberg Traurig’s representation.
13. While I and other LKM investors have continued to make payments for the ongoing costs of litigation, Guo has not paid any portion of the costs of this litigation since 2021.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed on July 24, 2023

  
Wayne Baliga